



Western Australia

Dormant commission

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Contents

1.	Purpose of this Commission	1
2.	Appointment of Chief Justice as Administrator	2
3.	Appointment of next most senior Judge as Administrator	2
4.	Powers and functions of Administrator	3
5.	Notice to be taken of this Commission	3
6.	Previous Commission superseded	3
	Notes	
	Compilation table	5

Dormant commission

Dormant commission

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[L.S.]

Elizabeth R

ELIZABETH THE SECOND
by the Grace of God Queen of Australia
and Her other Realms and Territories,
Head of the Commonwealth

To: The Chief Justice of Western Australia for the time being
or the next most senior Judge present in the State and able to act:

Greeting:

1. Purpose of this Commission

This Commission under Our Sign Manual and the Public Seal of the State of Western Australia is issued because under Our Letters Patent relating to the office of Governor of the State of Western Australia dated 14 February 1986 —

- (a) clause XI provides that an Administrator shall administer the government of the State in certain circumstances; and
- (b) clause XIII provides that the Lieutenant-Governor shall be the Administrator but if there is not Lieutenant-Governor or if the Lieutenant-Governor is unable to act as Administrator or is absent from the State then the Chief Justice of Western Australia or the next most

cl. 2

senior Judge present in the State and able to act shall be the Administrator; and

- (c) clause XV provides that the appointment of a Lieutenant-Governor and of an Administrator shall be during Our Pleasure by Commission under Our Sign Manual.

2. Appointment of Chief Justice as Administrator

By this Commission We appoint, authorize and require you, the Chief Justice of Western Australia for the time being, to be the Administrator and to administer the government of the State if and so long as

- (a) there is a vacancy in the office of Governor of the State or the Governor is administering the government of the Commonwealth of Australia or, not having appointed a deputy under Clause XVI of those Letters Patent, is unable to act as Governor or is on leave or is absent from the State; and
- (b) there is no Lieutenant-Governor or the Lieutenant-Governor is unable to act as Administrator or is absent from the State.

3. Appointment of next most senior Judge as Administrator

And, further, We appoint, authorize and require you, the next most senior Judge for the time being present in the State and able to act, to be the Administrator and to administer the government of the State if and so long as

- (a) there is a vacancy in the office of Governor of the State or the Governor is administering the government of the Commonwealth of Australia or, not having appointed a deputy under Clause XVI of those Letters Patent, is unable to act as Governor or is on leave or is absent from the State; and

- (b) there is no Lieutenant-Governor or the Lieutenant-Governor is unable to act as Administrator or is absent from the State; and
- (c) there is no Chief Justice of Western Australia or the Chief Justice of Western Australia is unable to act as Administrator or is absent from the State.

4. Powers and functions of Administrator

And, further, We authorize, empower and command you, the Chief Justice of Western Australia or the next most senior Judge, to exercise and perform all or any of the powers, functions and directions contained in those Letters Patent or in future Letters Patent relating to that office of Governor according to any instructions issued by Us in relation to the exercise and performance of those powers, functions and directions that are in force from time to time and according to the laws from time to time in force in the State.

5. Notice to be taken of this Commission

And, further, We command all Our Officers, Ministers, and loving subjects in the State and all others whom it may concern, to take due notice of this Commission and to give their ready obedience accordingly.

6. Previous Commission superseded

And, further, We declare that this Commission supersedes the Commission under Our Sign Manual and Signet, dated 17 February 1920, appointing the Chief Justice or the Senior Judge for the time being of Western Australia to administer the Government of the State of Western Australia and its dependencies in the events mentioned in the Commission.

Given at Our Court at St James's,
this 4th day of August 1998,
in the Forty-seventh Year of Our
Reign.

By Her Majesty's Command

Dormant commission

Dormant commission

cl. 6

Richard Court

Premier of Western Australia

Notes

- ¹ This is a compilation of the *Dormant commission*. The following table contains information about that commission.

Compilation table

Citation	Gazettal	Commencement
<i>Dormant commission</i>	20 Nov 1998 p. 6288-9	